

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION**

DUSTIN H. FRAZIER,)	
)	
<i>Plaintiff,</i>)	
v.)	
)	CIVIL ACTION NO. 09270-D
BANK OF AMERICA CORPORATION)	
d/b/a FIA CARD SERVICES AND)	
LEADING EDGE RECOVERY LLC,)	
)	
<i>Defendants.</i>)	
)	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C §§ 1331, 1441, and 1446, Defendants, Bank of America Corporation d/b/a FIA Card Services and Leading Edge Recovery LLC, (“Defendants”) hereby remove the above-captioned civil action from the 350th District Court, Taylor County, Texas, to the United States District Court for the Northern District of Texas. The removal of this case is proper because:

1. Bank of America Corporation d/b/a FIA Card Services and Leading Edge Recovery LLC, are co-defendants in the civil action filed by Plaintiff, Dustin H. Frazier, in the 350th District Court, Taylor County, Texas, captioned as *Dustin H. Frazier v. Bank of America Corporation d/b/a FIA Card Services and Leading Edge Recovery LLC*, Cause No. 09270- D (hereinafter, the “State Court Action”).

2. Defendants removed this case on the basis of the Fair Debt Collection Practices Act, Title 15 U.S.C. § 1692, *et seq.* (“FDCPA”), as Plaintiff’s Complaint claims relief based on abusive practices in violation of federal law.

3. Attached hereto as **Exhibit "A"** and incorporated by reference as part of the Notice of Removal are true and correct copies of the process and pleadings in the State Court Action. No further proceedings have taken place in the State Court Action.

4. Pursuant to 28 U.S.C. § 1446(b), Defendants have timely filed this Notice of Removal. Plaintiff's Complaint was served on both Defendants on June 6, 2011. This Notice of Removal is filed within thirty (30) days of receipt of the Complaint by Defendants and is, therefore, timely filed under 28 U.S.C. § 1446(b).

5. A copy of this Notice of Removal is being served upon Plaintiff and filed concurrently with the Clerk of the 350th District Court, Taylor County, Texas.

WHEREFORE, Defendants, Bank of America Corporation d/b/a FIA Card Services and Leading Edge Recovery LLC, hereby remove to this Court the State Court Action.

Respectfully submitted,

/s/ Jessica A. Hawkins
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Attorney for Defendant,
Bank of America Corporation
d/b/a FIA Card Services

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been sent to the following via certified mail on this 6th day of July, 2011:

Kimberly Soard
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/s/ Jessica Hawkins

Jessica Hawkins